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29 July 2021

Excellency,

The United Nations Security Council adopted Resolution 2587 (2021) today, regarding the extension of the mandate of the United Nations Peacekeeping Force in Cyprus (UNFICYP). The detailed observations of the Turkish Cypriot side regarding this Resolution have already been conveyed verbally and in writing (See annex) to the Presidency of the Security Council.

Upon instructions from my Government, I would like to underline, once again, the views of the Turkish Cypriot side *vis-à-vis* the issue of consent as well as the modalities of the operations of UNFICYP within the territory of the Turkish Republic of Northern Cyprus (TRNC). As you are well aware, in line with Resolution 2436 (2018), which is also referred to in the present Resolution, one of the governing principles of UN peacekeeping operations throughout the world is the requirement that the consent of all parties to the dispute is sought and obtained. In a similar vein, it is also clearly stated in the Brahimi Report, “...that consent of the local parties and impartiality [...] should remain the bedrock principles of peacekeeping.” Thus, UNFICYP can operate on both sides of the island only on the basis of the consent of both parties. Otherwise, UNFICYP not only puts into question its impartiality, but also “*risks becoming a party to the conflict*”, as stated in the United Nations Peacekeeping Operations Principles and Guidelines. Indeed, the principle of consent is also fundamental to the UN Secretary-General’s good offices mission which treats the Turkish Cypriot and Greek Cypriot sides on the island on an equal footing. Furthermore, since political processes are directly interlinked with peacekeeping operations, refraining from seeking the consent of one of the sides in relation to UNFICYP would also constitute a serious shortcoming in this regard.

In view of the above, it should be recalled that there are two sovereign States, two jurisdictions and two territories on the island of Cyprus, and that in the territory of the Turkish Republic of Northern Cyprus where its Government is the sole competent authority, UNFICYP can only operate with its permission and consent. As will be recalled, the necessity to seek and obtain the consent of each side is also manifested by the separate and simultaneous referenda held on both sides of the island in April 2004 on the UN comprehensive settlement plan on Cyprus. It is long overdue that the relevant references in the future resolutions on UNFICYP are brought in line with this reality.

**H.E. H.E. Mr. Nicolas de Riviere**  
**Ambassador Extraordinary and Plenipotentiary**  
**Permanent Representative of France**  
**to the United Nations**  
**President of the Security Council**  
**for the month of July 2021**  
**New York.**

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Needless to say, the consent for the extension of the mandate of UNFICYP sought and obtained prior to the adoption of the Resolution 2587 (2021) from the Greek Cypriot side, which purports to be the long-defunct "Government of Cyprus", only covers the operations of UNFICYP in South Cyprus. In view of this fact, I feel obliged to state that while UNFICYP personnel have operated to this date within the territory of the TRNC as a gesture of the good-will of the Turkish Cypriot side and with the permission of our Government, UNFICYP's continued lack of engagement with our authorities with a view to developing the modalities of its operations in the TRNC within a reasonable time will leave us with no option but to reconsider our approach towards this issue.

I would be grateful if this letter as well as its annex, enclosed herewith, could be circulated to the members of the Security Council.

Please accept, Excellency, the assurances of my highest consideration.



Mehmet Dâna  
Representative

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## TURKISH CYPRIOT VIEWPOINT

### On the Extension of the Mandate of UNFICYP by the UN Security Council

(July 2021)

**PP1, PP4, OP1:** During and after the informal 5+UN meeting, the Secretary-General refrained from making reference to any particular settlement framework in Cyprus with a view to not jeopardizing the deliberations aimed at determining if there is a common ground between the two sides. We were expecting that the Council would show the same sensitivity in this regard. However, the Council insisted on making references to the repeatedly failed framework of the past as well as its body of work which is no longer relevant.

**P2:** We note the Council's *"full support to the Secretary-General's ongoing engagement and the agreement by the parties to convene a further round of informal talks in the near future"* and the call to the two Leaders to participate in such a meeting with *"the spirit of openness, flexibility and compromise"* at the earliest opportunity. We also note the Council underlining the fact that a settlement should be freely negotiated and mutually acceptable. The relevant wording in the Resolution, however, may be construed as attempting to put the two sides in a "straitjacket" and undermining their right to freely negotiate a mutually acceptable settlement that would benefit the both sides as well as the wider region. The reality and experience in Cyprus in view of more than fifty years of failed negotiations dictate that only other alternatives for a negotiated settlement should be discussed.

**PP3:** The responsibility to determine whether a common ground exists lies with the two sides in Cyprus. While this fact was also underlined in the relevant paragraph of the previous resolution (S/RES/2561) as well as the draft text of the current resolution, it is unfortunate that the reference made to the "two sides" in this regard has been removed in the final text. Any attempt to blur the fact that it is only the two sides in Cyprus who can decide what kind of relationship they envisage for themselves in the island is ill-intentioned and undermines efforts aimed at a sustainable settlement in Cyprus. We therefore strongly protest the removal of references to "two sides" in the final version of this resolution.

**PP6 and OP3:** There should be no controversy in registering the fact that the natural wealth in and around the island belongs to Turkish Cypriot and Greek Cypriot communities, the insistence of the Greek Cypriot side to take unilateral steps which is the real source of instability, reducing the tension will only be possible through dialogue and cooperation of the Turkish Republic of Northern Cyprus. This material is prepared, edited, issued or circulated by the Turkish Republic of Northern Cyprus, New York Office, 10 Grand Central - 155 E. 44th Street, Suite 1710, New York, NY 10017, which is registered under the Foreign Agents Registration Act as an agent of the Turkish Republic of Northern Cyprus. This material is filed with the Department of Justice where the required registration statement is available for public inspection. Registration does not indicate approval of the contents of this material by the United States Government.



between the two sides on the island. It should be recalled that with a view to diffusing tension and paving the way for cooperation through creating interdependency, the Turkish Cypriot side has made constructive proposals to the Greek Cypriot side in 2011, 2012 and most recently on 13 July 2019 which remains to be on the table. These proposals were unfortunately rejected outright by the Greek Cypriot side. Hence, if UNSC intends to diffuse tension, it should underline in its resolutions the need for diplomacy and cooperation between the two sides on this issue. In view of the announcement of the Greek Cypriot administration in late June that it will resume offshore drilling for natural gas around the island later this year, the Council should have cautioned the Greek Cypriot side against such unilateral steps, which will increase the tension in the region and leave the Turkish Cypriot side with no choice but to reciprocate.

**PP11, PP12, OP4 (b,c,d), OP5, OP6 & OP7:** The Greek Cypriot side has been avoiding direct communication and cooperation with the Turkish Cypriot side for a long time. However, such contacts and cooperation, including civilian and policing matters, are necessary for addressing island wide matters and building trust between the two sides on the island, paving the way to a negotiated settlement. Therefore, a much stronger call should have been made to the sides in the relevant paragraphs with a view to encouraging the Greek Cypriot side towards this end.

Turkish Cypriot side is ready for the establishment of cooperation mechanisms between the two sides on all matters, including civilian, economic, military and criminal matters since this is the only way to effectively alleviate tensions and address island-wide issues. However, the emphasis should not be merely on military mechanism. Like other similar mechanisms established on the island, such as the technical committees and the Committee on Missing Persons, the suggested military mechanism can be established only between the two sides in Cyprus. Thus, the relevant wording in OP6 is factually wrong and misleading.

Furthermore, it must be underlined that the only way to prompt such direct communication and cooperation between the two sides is for the international actors to engage with the Turkish Cypriot side in a similar fashion, giving an impetus to the Greek Cypriot side to do so as well. Accordingly, while the latest UNFICYP report of the Secretary-General (S/2021/635) underlines the fact that “*concerns about recognition should not in themselves constitute an obstacle to increased cooperation*”, it is difficult to understand why the same reasoning cannot be true in establishing relations between the Turkish Cypriot people and the international community.

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Unfortunately, the issue of the unjust isolation (continued grave violation of human rights of Turkish Cypriot people) imposed on them has been omitted yet again in the present resolution. More than sixteen years have elapsed since the report of the then UN Secretary-General to the Security Council dated 28 May 2004 (S/2004/437), where it was clearly stated that “there exists no rationale for pressuring and isolating the Turkish Cypriots”. The imbalance created by the perpetuation of the isolation exacerbates the deep crisis of confidence between the two peoples and the two sides in Cyprus.

**PP10, OP8:** Turkish Cypriot side remains ready to cooperate with the Greek Cypriot side on all island-wide matters, including the issue of combatting COVID-19 pandemic as well as harmonizing the modalities of crossings between the two sides during the pandemic. In this regard, while the establishment of the trilateral dialogue between the two sides, which lead to the opening of crossing points on 4 June 2021, is a welcoming development, the decision by the Council to omit the word “trilateral” in OP8 is an ill-intended change aimed at diminishing the visibility of the Turkish Cypriot side as one of the two actors on the island of Cyprus, and thus, is unacceptable.

In a similar vein, the inequitable and late distribution of vaccines provided by the European Union is another very important issue, which unfortunately, was not mentioned in the resolution. It should have been mentioned in the resolution that the Turkish Cypriot side has so far only received %5 of the vaccines allocated by the EU for the entire island.

Lastly, the Security Council should also closely watch the frequent arbitrary decisions by the Greek Cypriot administration to prevent crossings of third country nationals to the Turkish Cypriot side. The past incidents in this regard were clear violation of freedom of movement, solely aimed at harming the Turkish Cypriot economy and tourism. We expect the Council to make a clear call to the Greek Cypriot administration not to use the pretext of the pandemic or whatsoever and take such steps which poison the atmosphere between the two peoples of the island.

**PP12, OP7:** Cognizant of the fact that the CBMs are vital for bridging trust and establishing cooperation between the two sides in Cyprus, the Turkish Cypriot side has fulfilled all of its responsibilities to implement the CBMs agreed between the two sides and is ready for the discussion of further mutually acceptable and good faith CBMs between the two sides.

**OP9:** With a view to supporting the work of the CMR, the Turkish Cypriot side has established an Archive Committee in 2016, which comprises military authorities, police authorities, experts from the Ministry of Health and National Archives as well as other

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relevant units of the Government, to examine the relevant archives for the information requested by the CMP regarding the location of missing persons. In this connection, access was given to the Office of the Turkish Cypriot Member of the CMP to check the aerial photos dating 1974. The Turkish Cypriot side has also established an investigation unit under the TRNC Presidency to examine all relevant archives in order to gather information requested by the CMP regarding the potential locations of missing persons, as well as the Missing Persons Unit (MPU) which conducts criminal investigation into the cases of the identified Greek Cypriot missing persons under the supervision of the constitutionally independent TRNC Attorney-General's Office. Furthermore, upon finding evidence on potential burial places, the Turkish Cypriot side accommodates the access of the CMP to any area throughout the TRNC, be it by interrupting the construction of a major road or giving access to those military areas CMP asks for according to its work plan. In this regard, in addition to the access granted to 60 military sites in 2018 and 2019 access to 5 additional suspected burial sites in military areas in the Turkish Republic of Northern Cyprus was granted in 2021 despite the unfavorable conditions created by the pandemic, where the excavations are being carried out according to the planning of the CMP. It should be also noted that both the TRNC and Turkey continue to support CMP financially. Yet, none of these contributions and examples of cooperation with the CMP are reflected in the resolution.

**OP4(a):** While we welcome the call to *"provide the necessary political support and overall guidance to free the Technical Committees from obstructions in their work and enable them to function effectively,"* the wording overlooks the fact that it is the lack of political will on the part of the Greek Cypriot leadership which has slowed down, or even unilaterally halted the work of some of these committees.

**OP4(d):** The Turkish Republic of Northern Cyprus has revised its schoolbooks in the past, promoting a culture of tolerance and mutual understanding. However, the Greek Cypriot side refuses to remove discriminatory language against the Turkish Cypriot people from its textbooks. The Greek Cypriot administration even has the audacity to attempt every year to send to the Greek Cypriot schools in Karpaz, TRNC, text books containing racist remarks about the Turkish Cypriot and Turkish peoples. The resolution also falls short of referring to the lack of a primary school for Turkish Cypriots in South Cyprus in spite of the repeated assurances given by the Greek Cypriot side, which were also reflected in previous UNSG reports.

**OP11:** It is unfortunate that the said paragraph fails to refer to the most important issue of the military status quo in the island i.e. the placement by the Greek Cypriot side of 255

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prefabricated concrete firing positions along the ceasefire line, 35 of which are actually in the buffer zone (see para. 16 of the most recent UNFICYP report- S/2021/635). In the interest of objective reporting as well as reducing the tension along the buffer zone, the resolution should have clearly called on the Greek Cypriot side for the immediate removal of these military installations.

In the same paragraph, although there is a reference to unauthorized activities between the cease-fire lines, there is no mention of the Greek Cypriot university in Pile/Pyla which was constructed and continues to operate without the authorization of UNFICYP. Despite the reference made in the Secretary-General's reports to the colossal extension being built at the said university, there is no reference in the resolution to this attempt aimed at creating a *fait accompli* and changing the status quo in the buffer zone. There is also no mention of the construction of an open air cinema at the southeast of Derinya Crossing point (border) in the buffer zone, where the Greek Cypriot side created a *fait accompli* and once again violated the status of the buffer zone. Last but not least, the Greek Cypriot side also deployed wire fence, built located for the 85 per cent of the buffer zone which is recorded in the latest report of the Secretary-General on UNFICYP (S/2021/635). However this fact is omitted by the Security Council in its resolution.

**PP14:** The Turkish Cypriot side takes note of the need to renew regularly all peacekeeping operations including UNFICYP and is of the view that a comprehensive review of UNFICYP, including its mandate, in light of the changing circumstances on the island, is long overdue. It is a reality that UNFICYP's civilian, not its military component, plays a role in liaison and engagement by means of monitoring and reporting on issues concerning the two sides. Therefore, the presence of the military component of UNFICYP is not necessary as it does not serve as a deterrent in preventing violence on the island.

**PP7, OP13, OP14:** First and foremost, it should be underlined that fenced off area of Maraş (Varosha) and Akyar (Strovilia) are within the borders of the Turkish Republic of Northern Cyprus and thus fall outside the scope of UNFICYP's authority. Therefore, the references and calls in these paragraphs are unwarranted. It should be noted that TRNC has not taken any steps that would affect private properties or that would entail settlement in the fenced off area of Maraş. These are just mere fabrications disseminated by the Greek Cypriot side to misguide the international community.

In July 2021, TRNC Government has lifted the military zone status prepared, edited, issued and circulated by the Turkish Republic of Northern Cyprus, New York Office, 10 Grand Central - 155 E 44th Street, Suite 1710, New York, NY 10017, which is previously registered under the Foreign Agents Registration Act as an agent of the Turkish Republic of Northern Cyprus. This material is filed with the Department of Justice where the required registration statement is available for public inspection. Registration does not indicate approval of the contents of this material by the United States Government.



due to the military status of the area. Majority of the Greek Cypriot property owners welcomed the decision of the TRNC.

For the pilot area in question, the Immovable Property Commission (IPC) will now be able to process and decide on the applications made through any one of the remedies in place, namely, restitution, compensation and/or exchange. IPC was established in 2005 by the TRNC and is recognized as an effective domestic remedy by the European Court of Human Rights (ECHR) with the authority to deal with applications and deliver decisions on the property claims by providing remedies in the form of restitution, compensation and/or exchange.

No "resettlement plan" has been announced by the Turkish Cypriot side. To the contrary, on every occasion we underscored the respect for property rights in the fenced off area of Maraş. The lifting of military status cannot be portrayed as re-settlement or violation of property rights.

Therefore, all the steps that have been taken in the fenced off area of Maraş by TRNC are in line with the UNSC resolutions. TRNC views the opening of the fenced off area of Maraş as a humanitarian act which will be economically beneficial to both Turkish Cypriot and Greek Cypriot peoples.

In light of the above, we strongly reject the misguided and factually wrong Presidential Statement of the Council on Maraş (S/PRST/2021/13) and the reference to it in the current UNFICYP resolution.

**OP15:** There is a call to both sides to agree on a work plan for a mine free Cyprus. This omits the fact that the Turkish Cypriot side has made multiple concrete proposals in 2013, 2015 and 2018 for a mine free island. The fact that the Turkish Cypriot side is ready to cooperate on this issue and that the Greek Cypriot side refuses to even discuss it, is openly recorded in the latest report of the Secretary-General on UNFICYP (S/2021/635). It is unfortunate that there is no reference in the resolutions to these facts and the call in this regard is made again to both sides rather than to the Greek Cypriot side alone.

**PP13 and PP15:** As regards references to the "Government of Cyprus", it should be recalled that the 1960 Republic of Cyprus was destroyed by the Greek Cypriot partner in 1963. Since then, there has not been a joint administration capable of representing the whole of Cyprus, either legally or factually. Each side has made its own claim, while the Greek Cypriot side has continued to claim that it is the "Government of Cyprus". The separate and simultaneous referenda held on 24 April 2004 on the UN 1960 plan

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of the then UN Secretary-General has highlighted, once again, the fact that the island of Cyprus comprises two distinct peoples and administrations. Hence, this reference is unacceptable.

It should be recalled that in line with the Brahimi Report (2000), as well as Resolution 2436 (2018), the consent and approval of all concerned parties constitute a bedrock principle of all peacekeeping operations and are necessary for their success. This principle undoubtedly applies to the operations of UNFICYP as well, which has to cooperate with two sovereign equal parties to the dispute in Cyprus. The reference in PP15 only to the agreement of the Greek Cypriot administration regarding the extension of the presence of UNFICYP clearly contradicts the aforementioned principle. In the absence of the consent of both sides in Cyprus, UNFICYP “risks becoming a party to the conflict” as stated in the United Nations Peacekeeping Operations Principles and Guidelines.

The Turkish Cypriot side has repeatedly put on record the need to establish a formal agreement/framework which arranges and defines the relationship between UNFICYP and our authorities. This could be in the form of a Status of Forces Agreement (SOFA), or another mutually acceptable format. Currently, UNFICYP operates in the TRNC as our guest and this is not a sustainable relationship. Therefore, if UNFICYP continues not to heed our calls for a more structured relationship, we will be left with no option but to reconsider our approach to the matter.

**PP13 and PP15:** The reference to the “Government of Cyprus” is sufficient in itself for us to reject the resolution in toto. We would like to remind that UNFICYP could only function in our territory as our guests, in the spirit of goodwill and cooperation, and according to the decisions made and modalities set by the TRNC Government.

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